

# In the United States Court of Federal Claims

Nicholas J. Lisk Jr.

Plaintiff(s),

v.

THE UNITED STATES,

Defendant.

Case No.

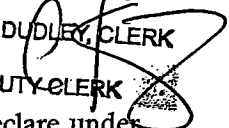
7:19CV528

Judge

Urbanski

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

JUL 26 2019

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

## COMPLAINT

Your complaint must be clearly handwritten or typewritten, and you must sign and declare under penalty of perjury that the facts are correct. If you need additional space, you may use another blank page.

If you intend to proceed without the prepayment of filing fees (*in forma pauperis* (IFP)), pursuant to 28 U.S.C. § 1915, you must file along with your complaint an application to proceed IFP.

1. **JURISDICTION.** State the grounds for filing this case in the United States Court of Federal Claims. The United States Court of Federal Claims has limited jurisdiction (*see e.g.*, 28 U.S.C. §§ 1491-1509).

The following claimant is filing this formal complaint within the  
allotted time as indicated in a response from the VA Office of General  
Counsel (Regarding 28 USC § 2401 (b)) six months from the date as  
posted from their response (January 28, 2019). The following  
complaint as follows: Failure to provide Hazardous Duty Pay to  
Employee, Agency Failure to follow own VA Directives. VA Handbook  
0730 (Department of Veterans Affairs, Washington DC, 20420, page  
13, (n) Police Patrol Vehicles (b) Vehicles will be configured using  
standard equipment barrier devices and door handle defeats to  
separate the rear transport seating area from the front seat).  
Hazardous Duty- Hazardous duty means duty performed under  
circumstances in which an accident could result in serious injury or  
death [5 CFR 550.902.] Also Liquidated damages 29 U.S.C. §216 (b)].

## 2. PARTIES

Plaintiff, Nicholas J. Lisk Jr., resides at 4920 Pomeroy Rd NW  
(Street Address)  
Roanoke, VA. 24017 540.598.2631  
(City, State, ZIP Code) (Telephone Number)

If more than one plaintiff, provide the same information for each plaintiff below.

N/A.

**RELATED CASES.** Is this case directly related to any pending or previously filed cases in the United States Court of Federal Claims? ☐ Yes ☒ No

If yes, please list the case(s) below, including case number(s):

N/A.

**3. STATEMENT OF THE CLAIM.** State as briefly as possible the facts of your case. Describe how the United States is involved. You must state exactly what the United States did, or failed to do, that has caused you to initiate this legal action. Be as specific as possible and use additional paper as necessary.

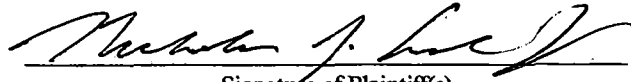
Unpaid Earned Wages for Hazardous Duty Pay (From 2008 to  
2017). Start of employment in 2003 until 2018. In 2011 the issue  
was brought to VA Management's attention. No action taken.  
Brought to VA Management's attention again in 2016. (Again no  
action was taken. 2017 VA Management admitted to violating VA  
Policy by not providing cages to Police Personnel (employee)  
through exemption to policy by Dept. of Veterans Affairs Director  
of Police Services. Both vehicles in 2018 were in compliance.  
See attached supporting documents-

4. **RELIEF.** Briefly state exactly what you want the court to do for you.

Monetary Compensation for Hazardous Pay under 5 CFR 550.902 and  
Liquidated damages under 29 U.S.C. §216(b). See Attached 57 pgs and  
1 Disc for Compensation Request. \$20,000.00 (x2) 29 U.S.C. §216 (b).

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 26 day of July, 2019.  
(day) (month) (year)

  
Signature of Plaintiff(s)

4920 Pomeroy RD NW  
Roanoke, VA 24017